

Maine Department of Education
Office of Special Services

IDEA MEDIATOR PREQUALIFICATION NOTICE

The Department is seeking trained mediators with mediation experience and knowledge about special education law. Mediators conducting special education mediations pursuant to the Individuals with Disabilities Act (“IDEA”) must be prequalified with the Department to be on the pre-approved mediator list. Applicants should complete the application below and send the completed application and required information as one document to Jeannette Sedgwick at Jeannette.P.Sedgwick@maine.gov.

Purpose and Background

Under the requirements of the IDEA, the Department offers mediation services by qualified mediators as a form of dispute resolution for parents of students with disabilities age birth – 20, adult students with disabilities, and schools.

Mediators are trained, third-party neutrals who assist parties to reach a written mediated agreement with specific terms. Topics discussed during confidential mediations may include the identification, evaluation, and placement of a student with disabilities age birth – 20, the provision of a Free and Appropriate Public Education (FAPE), or an alleged failure to implement a student’s Individualized Education Program (IEP) pursuant to federal and state law and regulation.

The Department encourages the use of mediation to resolve conflicts with the least amount of confrontation possible.

Required Qualifications

Mediators shall have completed a 40-hour, in-person training in mediation practices and techniques taught by an established mediation training program or established institution recognized in the field. Mediators must hold a B.A. or a B.S. and must have had a least 20 hours of conducting in-person mediation prior to applying. Mediators must be available for required Department trainings and mediations throughout the state.

Mediator responsibilities

A. Mediation

Mediators will conduct in-person mediations when assigned by the Department. The Department assigns one mediator for each case and assigns mediators on a rotating basis. Mediators must be able to lead mediations in locations throughout the state. Mediators must adhere to deadlines and will invoice the Department for their time.

Responsibilities of the mediators include traveling to mediation sites to conduct mediations and conducting mediations. Mediators may also write mediation agreements with the parties. Mediators must participate in a free mandatory training offered by the Department and

must independently pursue a professional development plan to ensure the mediator is current in mediation techniques and special education law and regulation. Mediators who have mediated special education disputes for the Department may request a waiver from training. The Department may request mediators attend further trainings about special education law and regulation.

B. Administrative work

Administrative work for mediators consists of emailing the Department and the parties and other non-mediation tasks. The Department will be the point of contact regarding case processing. Contact with the Department is the mediator's responsibility. Related paperwork must be timely submitted to the Department. Mediators are responsible for all equipment (computers, phones, fax machines, etc.); technology, including Internet access; and supplies.

C. Rates

Mediators will be paid \$120/hour for in-person mediation services. In addition, the Department will pay \$50/hour for certain administrative costs. The Department will reimburse the mediator at the State's approved reimbursement rate, currently \$0.44 per mile. If one-way travel of 100 miles or more is involved, the Department will reimburse for overnight accommodations at the actual cost, but not to exceed the General Services Administration per diem, if pre-approved by the Department in writing. Meals are not reimbursable if an overnight is not involved pursuant to the State Administrative and Accounting Manual (SAAM); if an overnight is involved, reimbursement will be provided for dinner the night before and breakfast the day of mediation in accordance with SAAM.

D. Appointment terms

The prequalified mediator list will be in effect for two years. Renewals will not require a new application, but will require updates about mediator contact information and about continuing professional development in mediation practice and special education law and regulation.

Prequalification Process

The Department will review all applications to determine suitability of the applicant for prequalification as an IDEA mediator based on the material submitted in the application. The Department will review applications on an as-needed basis at the discretion of the Department.

The Department anticipates creating a pre-qualified vendor list with multiple mediators. Pre-Qualification is not a guarantee of work. Once the pre-qualified list of mediators is established, the Department will notify all prequalified mediators in order to award contracts. The Department reserves the right to unilaterally terminate mediation contracts at any time and for any reason. Mediators not chosen to be included on the prequalification list may reapply.

For questions regarding this notice or the application, please contact Jeannette Sedgwick at Jeannette.P.Sedgwick@maine.gov.

Apply to be a Mediator Here